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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/674,493

10/01/2003

Hideo Ikeno

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12/02/2010

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EXAMINER

HUNTSINGER, PETER K

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

12/02/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |  |                                     |  |
|------------------------------|--|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/674,493   | <b>Applicant(s)</b><br>IKENO, HIDEO |  |
|                              | <b>Examiner</b><br>Peter K. Huntsinger | <b>Art Unit</b><br>2625             |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 19,23,26,28,30,31 and 33-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19,23,26,28,30,31 and 33-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 9/17/10 have been fully considered but they are not persuasive.

The Applicant argues on pages 13-15 of the response in essence that:  
The cited references fail to disclose setting to the retained resource, the multiple inputted display names and name-use information indicative of correspondence between the plurality of printing languages and display names selected to be corresponding to each of the selected plurality of printing languages, and transmitting the resource to the image processing apparatus in response to a transmission instruction input via the graphical user interface, wherein the multiple display names and the name-use information are set to the transmitted resource, wherein the image processing apparatus interprets the plurality of printing languages, and processes image data by using the resource, and wherein the resource is for the plurality of printing languages.

a. Streepy, Jr. '646 discloses setting to the retained resource, the multiple inputted display names and name-use information indicative of correspondence between the plurality of languages and display names selected to be corresponding to each of the selected plurality of languages (col. 22, lines 10-15, block 934 of Fig. 9 allows the user to modify a term), wherein the multiple display names and the name-use information are set to the resource (col. 12, lines 49-67, terms 124 are organized within language locales). Scheidig '565 discloses

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wherein the image processing apparatus interprets the plurality of printing languages (col. 2, lines 30-47, In a printer system wherein data of different printer languages must often be processed during permanent operation), and wherein the resource is for the plurality of printing languages (Fig, 2a, col. 5, lines 36-42, language-dependent parameters 11). Nguyen '941 discloses transmitting the resource to the image processing apparatus in response to a transmission instruction input via the graphical user interface (col. 9, lines 30-48, the OEM presents an UI to display the features and send appropriate data to the printer), and wherein the image processing apparatus processes image data by using the resource (col. 8, lines 4-25, Any particular printer may use some or all of these modules' functionality as desired by the OEM).

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 34 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 34 recites the limitation "the apparatus" in line 1. It is unclear whether "the apparatus" is referring to "the data processing apparatus" or "the image processing apparatus" of claim 19.

### ***Claim Rejections - 35 USC § 103***

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19, 23, 26, 28 and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen Patent 6,825,941, and further in view of Scheidig Patent 6,603,565 and Streepy, Jr. Patent 7,120,646

Referring to **claims 19, 26, 28 and 31**, Nguyen '941 discloses a data processing apparatus, which communicates with an image processing apparatus that processes image data by using a resource retained in memory, comprising:

retention means for retaining the resource containing data of the resource which is utilized in image processing (col. 8, lines 4-25, modules that modify the output data stream sent to the printer); and

transmitting means for transmitting the resource to the image processing apparatus in response to a transmission instruction input via the graphical user interface, wherein the resource is retained by said retention means (col. 9, lines 30-48, the OEM presents an UI to display the features and send appropriate data to the printer),

wherein the image processing apparatus processes image data by using the resource (col. 8, lines 4-25, Any particular printer may use some or all of these modules' functionality as desired by the OEM).

Nguyen '941 does not disclose expressly retaining information indicative of each printer language which can use the resource.

Scheidig '565 discloses a data processing apparatus, which communicates with an image processing apparatus capable of interpreting a plurality of printing languages (col. 2, lines 30-47, data of different printer languages is processed by the printer system), the resource being used for the plurality of printing languages (Fig, 2a, col. 5, lines 36-42, language-dependent parameters 11), and

wherein the image processing apparatus interprets the plurality of printing languages (Fig, 2a, col. 5, lines 36-42, language-dependent parameters 11).

At the time of the invention, it would have obvious to a person of ordinary skill in the art to retain information indicative of each printer language which can use the resource. The motivation for doing so would have been to allow the printer to switch relatively simply between setup settings of various types and to thereby retain the compatibility with various printer languages.

Nguyen '941 does not disclose expressly having multiple display names for the resource.

Streepy, Jr. '646 discloses retaining a resource containing display names (col. 8, lines 5-28, each meta-model component can have multiple display names associated with it),

input means for inputting, via a graphical user interface, multiple display names of the resource retained by said retaining means (col. 8, lines 5-28, each meta-model component can have multiple display names associated with it);

selecting setting means for selecting, via the graphical user interface, a display name corresponding to each of said plurality of a languages from among the multiple display names input by said input means (col. 22, lines 10-15, block 932 of Fig. 9 allows the user to add a term) (col. 12, lines 49-67, terms 124 are organized within language locales);

setting means for setting, to the resource retained by said retention means, the multiple display names inputted by said input means and name-use information indicative of correspondence between said plurality of languages and display names selected to be corresponding to each of the plurality of printing languages by said selecting means (col. 22, lines 10-15, block 934 of Fig. 9 allows the user to modify a term),

wherein the multiple display names and the name-use information are set to the resource (col. 12, lines 49-67, terms 124 are organized within language locales).

At the time of the invention, it would have obvious to a person of ordinary skill in the art to utilize multiple display names for one resource. The motivation for doing so would have been to provide access to provide a system open to extension and enhancement by the end user. Therefore, it would have been obvious to combine Scheidig '565 and Streepy, Jr. '646 with Nguyen '941 to obtain the invention as specified in claims 19, 26, 28 and 31.

Referring to **claims 23, 30, and 33**, Nguyen '941 discloses wherein the resources is a font resource used in printing, a form resource for forming an image by being superimposed on print data at the time of printing, a color-profile resource that

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expresses color space of an input/output device, a look-up-table resource, which is a conversion table for color correction in color processing, or a dither-pattern resource, which is pattern data for deciding expression of color in color (col. 8, lines 64-65, font and raster modules).

6. Claims 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen Patent 6,825,941, Scheidig Patent 6,603,565 and Streepy, Jr. Patent 7,120,646 as applied to claims 19, 28 and 31 above, and further in view of Vidyanand Patent 6,967,728.

Referring to **claims 34, 35, and 36**, Streepy, Jr. '646 discloses display means (col. 22, lines 10-15, the resultant menu displays show options as: show concept properties and add concept properties) for referring to the name-use information set to the obtained resources to display a list of the resources by using the display name corresponding to a language to be used (col. 12, lines 49-67, terms 124 are organized within language locales).

Scheidig '565 does not disclose expressly obtaining the resource from the image processing apparatus.

Vidyanand '728 discloses obtaining means for obtaining the resources from the image processing apparatus (col. 8, lines 12-18, the settings submenu 98 includes controls for exporting 32 (FIG. 1) a selected set 16 of printer preferences 18).

At the time of the invention, it would have obvious to a person of ordinary skill in the art to obtain resources from an image processing apparatus. The motivation for



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doing so would have been to allow printer driver preferences to be reused among multiple client computers. Therefore, it would have been obvious to combine Vidyanand '728 with Scheidig '565 to obtain the invention as specified in claims 34, 35 and 36.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on 9-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter K. Huntsinger/  
Examiner, Art Unit 2625

/David K Moore/  
Supervisory Patent Examiner, Art Unit 2625